

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

BMW OF NORTH AMERICA, LLC,
et al.

Plaintiffs,

v.

MARIIA SYROTIUK, et al.

Defendants.

Case No.: 2:24-cv-10011 DSF (PDx)

**PERMANENT INJUNCTION
AGAINST DEFENDANTS**

The Court, pursuant to the Stipulation for Entry of a Permanent Injunction, filed by Plaintiffs BMW of North America, LLC and Bayerische Motoren Werke AG (“Plaintiffs”) and Defendants Mariia Syrotiuk, Iurii Grebeniuk, and IGO Trade Corp. (“Defendants”), hereby ORDERS, ADJUDICATES, and DECREES that a permanent injunction shall be and hereby is entered against Defendants in the above-referenced matter as follows:

1. **PERMANENT INJUNCTION.** Defendants are hereby restrained and enjoined, pursuant to 15 United States Code (“U.S.C.”) § 1116(a), from

engaging in, directly or indirectly, or authorizing or assisting any third party to engage in, any of the following activities in the United States and throughout the world:

i. unlawfully copying, manufacturing, importing, exporting, purchasing, marketing, advertising for sale, offering for sale, selling, transporting, distributing or otherwise dealing in any product or service that unlawfully uses, or otherwise makes any unlawful, unauthorized use of, any of BMW's trademarks, including but not limited to the **BMW®** (U.S.P.T.O. Registration Number ("Reg. No.") 0,611,710; 0,613,465; 1,450,212; 5,333,863; 5,333,865; 5,333,900; 6,604,537; 6,829,651; 6,952,002), **BMW M®** (Reg. No. 3,526,899; 4,541,350; 3,767,662; 3,767,663; 5,522,663; 6,025,777; 6,641,554; 6,655,742), **X7®** (Reg. No. 4745821), **X6®** (Reg. No. 3335405), **X5®** (Reg. No. 2484353), **X5 M®** (Reg. No. 3635625), **X4®** (Reg. No. 4159738), **X3®** (Reg. No. 2867087), **X2®** (Reg. No. 4130382), **X1®** (Reg. No. 3256739), **M5®** (Reg. No. 2381292), **M4®** (Reg. No. 5425915), **M3®** (Reg. No. 2535373), **M2®** (Reg. No. 3988515), **M8®** (Reg. No. 5169067), **330®** (Reg. No. 4998766), **328®** (Reg. No. 2584405), **230®** (Reg. No. 5286685), and **M550®** (Reg. No. 1099345) marks (collectively "BMW Trademarks"), and/or any intellectual property that is unlawfully confusingly or substantially similar to, or that constitutes an unlawful colorable imitation of, any BMW Trademarks, whether such use is as, on, in or in connection with any trademark, service mark, trade name, logo, design, Internet use, website, domain name, metatags, advertising, promotions, solicitations, commercial exploitation, television, web-based or any other program, or any product or service, or otherwise;

ii. advertising or displaying images and/or photographs of infringing or non-genuine BMW products using BMW Trademarks;

iii. using BMW Trademarks, including but not limited to the **BMW®** and/or **BMW M®** trademarks in advertising to suggest that non-genuine BMW products being advertised are sponsored by, endorsed by, or are otherwise

1 affiliated with BMW and/or advertising non-genuine BMW automotive parts using
2 descriptions that imply that the products are genuine BMW products. Defendant
3 may, however, use “BMW” or other BMW wordmarks to advertise non-BMW
4 products for sale with fair use descriptions such as ‘for BMW automobiles’ or ‘fits
5 BMW model _____,’ or similar language, provided that “BMW” or any other
6 BMW wordmarks that are used are in the identical font, format, size, and color as,
7 and no more prominently displayed than the surrounding text. In no event may any
8 BMW and/or BMW M logo, design mark, or other graphical BMW Trademarks be
9 used by Defendant under this exception for;

10 iv. performing, or allowing others employed by Defendants or
11 under Defendants’ control to perform, any unlawful act or thing which is likely to
12 injure Plaintiffs, any BMW Trademarks, and/or BMW’s business reputation or
13 goodwill.

14 v. engaging in any acts of trademark infringement, false
15 designation of origin, dilution, unfair business practices under California law, or
16 other act which would tend damage or injure Plaintiffs; and/or

17 vi. using any Internet domain name, URL, or online seller name/ID
18 that includes any BMW Trademarks.

19 2. Defendants are ordered to deliver to Plaintiffs immediately for
20 destruction all infringing or non-genuine products bearing BMW Trademarks to the
21 extent that any of these items are in Defendants’ possession, custody, or control.

22 3. This Permanent Injunction shall be deemed to have been served upon
23 Defendants at the time of its execution by the Court.

24 4. The Court finds there is no just reason for delay in entering this
25 Permanent Injunction against Defendants, and, pursuant to Rule 54(a) of the
26 *Federal Rules of Civil Procedure*, the Court directs immediate entry of this
27 Permanent Injunction against Defendants.

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